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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/796,544

03/08/2004

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EXAMINER

SELLERS, DANIEL R .

ART UNIT

PAPER NUMBER

2615

MAIL DATE

DELIVERY MODE

01/28/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/796,544	Applicant(s) TERADA ET AL.	
	Examiner Daniel R. Sellers	Art Unit 2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/5/07.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 and 16-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 8, 13 and 16-18 is/are rejected.
- 7) ☒ Claim(s) 4-7 and 9-12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see p.7-8, filed 11/05/07, with respect to the rejection(s) of claim(s) 1-11, 15, and 16 under 35 USC 102 and 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Silfvast and the Roland Corporation's VS-2480 Owner's Manual.

Claim Rejections - 35 USC § 103

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. **Claims 1, 3, 8, 13, and 16-18** are rejected under 35 U.S.C. 103(a) as being unpatentable over Silfvast (previously cited) in view of the Roland Corporation VS-2480 Owner's Manual (hereinafter Roland).

4. Regarding **claim 1**, Silfvast teaches

Claim 1 (currently amended): An audio signal processing device which processes audio signals and outputs the audio signals, comprising:

controls for setting values of parameters of the signal processing (Figure 2, fader 54 and rotary control 58);

a display for presenting a set value of the parameter (Figure 2, display 64);

a memory for storing a value of the parameter (Figure 2, memory 502);

a loader for loading the value of the parameter stored in said memory (Figure 2, host processor 503);

a display controller (Figure 2, host processor 503 and "updates the parameters for display on the channel controls 501 as appropriate," column 9, lines 10-11) for making said display present the loaded value of the parameter and a value of the parameter set at a time of the loading when said loader loads the value of the parameter, such that a common display simultaneously presents the loaded value and the value set at the time of the loading in different display styles.

Silfvast teaches the features above, but does not teach a display for presenting a loaded value of the parameter and a value of the parameter set at the time of loading when said loader loads the value of the parameter.

Roland teaches a similar device, wherein automix data is recorded and replayed to allow the user to vary the levels of different channels during the duration of a recorded multi-track session (p. 325). Roland also teaches micro editing of these automix levels, wherein a display is used to present a set value at the time of loading (e.g. the beginning of a session) and a loaded value (e.g. any point thereafter) (p.337). It would have been obvious for one of ordinary skill in the art at the time of the invention to combine the teachings of Silfvast and Roland for the purpose of allowing automated control of volume faders during a recording or playback session.

5. Regarding **claim 3**, the further limitation of claim 1, see the preceding argument with respect to claim 1. In the combination, Roland teaches a light source capable of lighting up in a plurality of display styles (i.e. the display is capable of graphics, text, etc.).

6. Regarding **claim 8**, the further limitation of claim 1, see the preceding argument with respect to claim 1. In the combination, Roland teaches a display for presenting continuous values.

7. Regarding **claim 13**, the further limitation of claim 1, see the preceding argument with respect to claim 1. In the combination, Roland teaches an instructor for providing an instruction, which is not yet loaded in the current signal processing (i.e. Roland

displays values to be loaded subsequent to the current level in track 1's volume fader, p.337).

8. Regarding **claim 16**, see the preceding argument with respect to claim 1. The combination of Silfvast and Roland teaches these features.

9. Regarding **claim 17**, the further limitation of claim 1, see the preceding argument with respect to claim 1. In the combination, Roland teaches a display comprising display sections, each of which is composed of a plurality of display elements and displays a value of one parameter by the plurality of display elements (p. 331; shows several tracks and their recorded levels).

10. Regarding **claim 18**, see the preceding argument with respect to claim 1. The combination of Silfvast and Roland teaches these features.

11. **Claim 2** is rejected under 35 U.S.C. 103(a) as being unpatentable over Silfvast and Roland as applied to claim 1 above, and further in view of well-known prior art.

12. Regarding **claim 2**, the further limitation of claim 1, see the preceding argument with respect to claim 1. The combination teaches the features of claim 1. Specifically, Roland teaches an undo feature for use in the automix micro-edit feature. However Roland does not teach a comparator and display with the feature of making a display style different in accordance with a match/mismatch result of the comparator.

The Office takes Official Notice that it is well known in graphical user displays to hide menu options when they are not available for use and to show menu options when they are available for use. It is well known that an "undo" command can be shown and

hidden when it is available and unavailable, respectively, for use. It would have been obvious for one of ordinary skill in the art at the time of the invention to combine the teachings of Silfvast, Roland, and the well-known prior art for hiding menu options when they are unavailable to unclutter a display.

Allowable Subject Matter

13. **Claims 4-7 and 9-12** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel R. Sellers whose telephone number is 571-272-7528. The examiner can normally be reached on Monday to Friday, 9am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on (571)272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2615

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DRS


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SUPERVISORY PATENT EXAMINER